

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	
MONTGOMERY WARD, LLC, <u>et al.</u> ,	)	Chapter 11
	)	Case No. 00-4667 (KG)
Debtors.	)	
_____	)	
	)	
PLAN ADMINISTRATOR OF MONTGOMERY	)	
WARD, LLC, <u>et al.</u> and THE PA COMMITTEE	)	
OF MONTGOMERY WARD, LLC, <u>et al.</u> ,	)	
	)	
Appellants,	)	Case No.: 08-201 (JJF)
	)	
v.	)	
	)	
DIKA-WARD, LLC,	)	
	)	
Appellee.	)	
_____	)	
	)	
DIKA-WARD, LLC,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No.: 08-202 (JJF)
	)	
PLAN ADMINISTRATOR OF MONTGOMERY	)	
WARD, LLC, <u>et al.</u> , and THE PA COMMITTEE	)	
OF MONTGOMERY WARD, LLC, <u>et al.</u> ,	)	
	)	
Appellees.	)	
_____	)	

**STIPULATION AND ORDER TO CONSOLIDATE APPEALS  
AND SET BRIEFING SCHEDULE**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the parties, by and through their undersigned counsel, subject to the approval of this Court, that the appeal of the Plan Administrator for Montgomery Ward, LLC and the PA Committee of Montgomery Ward, LLC, *et al.* (collectively, the “Plan Administrator”), C.A. No. 08-201 (the “PA Appeal”) and the

appeal of Dika-Ward, LLC ("Dika-Ward"), C.A. 08-202 (the "Cross-Appeal"), shall be and hereby are procedurally and substantively consolidated and a single briefing schedule relating to these consolidated appeals shall be set as follows:

- A) An opening brief of the Plan Administrator relating to the issues presented in the PA Appeal shall be filed on or before September 8, 2008, which brief shall not exceed fifty (50) pages, notwithstanding D. Del. LR 7.1.3(a)(4);
- B) A consolidated (i) answering brief relating to the issues presented in the PA Appeal and (ii) opening brief relating to the issues presented in the Cross-Appeal shall be filed by Dika-Ward on or before October 6, 2008, which brief shall not exceed fifty (50) pages, notwithstanding D. Del. LR 7.1.3(a)(4);
- C) A consolidated (i) reply brief relating to the issues presented in the PA Appeal and (ii) answering brief relating to the issues presented in the Cross-Appeal shall be filed by the Plan Administrator on or before October 27, 2008, which brief shall not exceed fifty (50) pages, notwithstanding D. Del. LR 7.1.3(a)(4); and
- D) A reply brief of Dika-Ward relating to the issues presented by the Cross-Appeal shall be filed on or before November 17, 2008, which brief shall not exceed fifty (50) pages, notwithstanding D. Del. LR 7.1.3(a)(4).

(SIGNATURES TO FOLLOW ON NEXT PAGE)

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IT IS SO ORDERED, this \_\_\_\_\_ day of September, 2008.

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Joseph J. Farnan, Jr.  
United States District Court Judge